

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

SENATE ENROLLED ACT No. 50

AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-17-15-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The governor shall:

- (1) designate a member of the council to serve as the chairman of the council; or
- (2) require the council to designate a chairman from within its membership.

(b) A member of the council who is a representative of the ~~section~~ **division** may not serve as chairman of the council.

(c) A chairman may be reappointed for succeeding terms.

SECTION 2. IC 12-17-15-16, AS AMENDED BY P.L.121-1999, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) To the extent that the services are appropriate, the council shall advise and assist the department of education regarding the transition of toddlers with disabilities to preschool special education services under IC 20-1-6.

(b) The council may advise and assist the ~~section~~ **division** and the department of education regarding the provision of appropriate services for children who are five (5) years of age or younger.

SECTION 3. P.L.272-1999, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: (a) As used in this SECTION, "commission" refers to the Indiana commission on



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mental retardation and developmental disabilities established by this SECTION.

(b) The Indiana commission on mental retardation and developmental disabilities is established.

(c) The commission consists of the following members:

(1) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.

(2) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

(3) Three (3) members at large appointed by the governor. Not more than two (2) members appointed under this subdivision may be members of the same political party.

(4) One (1) member appointed by the governor who is a consumer of mental retardation/developmental disability services.

(5) One (1) member appointed by the governor who is a representative of advocacy groups for consumers of mental retardation and developmental disability services.

(6) Two (2) members appointed by the governor who are representatives of families of consumers of mental retardation and developmental disability services.

(7) One (1) member appointed by the governor who is a representative of organizations providing services to individuals with mental retardation and developmental disabilities.

The governor shall make appointments required by subdivisions (3) through (7) before May 16, 1994.

(d) The chairman of the legislative council shall designate a legislative member of the commission to serve as chairman of the commission.

(e) Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(f) The commission shall do the following:

(1) Develop a long range plan to stimulate further development of cost effective, innovative models of community based services, including recommendations that identify implementation schedules, plans for resource development, and appropriate regulatory changes.



(2) Review and make recommendations regarding any unmet need for mental retardation and developmental disability services, including the following:

(A) Community residential and family support services.

(B) Services for aging families caring for adult mentally retarded and developmentally disabled children.

(C) Services for families in emergency or crisis situations.

(D) Services needed to move children and adults from nursing homes and state hospitals to the community.

(3) Study and make recommendations for the state to contract with a private entity to manage and implement home and community based services waivers under 42 U.S.C. 1396n(c).

(4) Study and make recommendations regarding state funding needed to provide supplemental room and board costs for individuals who otherwise qualify for residential services under the home and community based services waivers.

(5) Monitor and recommend changes for improvements in the implementation of home and community based services waivers managed by the state or by a private entity.

(6) Review and make recommendations regarding the implementation of the comprehensive plan prepared by the developmental disabilities task force (P.L.245-1997, SECTION 1).

(7) Review and make recommendations regarding the development by the division of disability, aging, and rehabilitative services of a statewide plan to address quality assurance in community based services.

(8) Annually review the infants and toddlers with disabilities program established under IC 12-17-15.

(g) The commission shall submit its findings and initial recommendations to the governor and the general assembly before December 1 of each year.

(h) This SECTION expires January 1, 2005.

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President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Approved: _____

Governor of the State of Indiana

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